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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/416,536	10/12/1999	MICHAEL CARROLL	52817.000075	6286

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EXAMINER

HUYNH, BA

ART UNIT PAPER NUMBER

2179

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Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 2179



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Technology Center 2100

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/416,536

Filing Date: October 12, 1999

Appellant(s): CARROLL, MICHAEL

Rick A. Toering
For Appellant

**EXAMINER'S ANSWER
(Supplemental)**

This is in response to the appeal brief filed 4/22/04.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

Appellant's brief includes a statement that claims 1, 3, 5, 6, 8, 10, 11, 13-16, and 18-23 stand or fall together as one group, each of claims 24-26 stand or fall separately, and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

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5,664,127	Anderson et al	9-1997
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6,097,391	Wilcox	8-2000
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(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 3, 5, 6, 10, 11, 13, 15, 16, 18, 20-23, and 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Anderson et al. Claims 14 and 19 are rejected under 35 USC 103(a) as being obvious over Anderson et al. Claims 1, 6, 11, 16, 21, 24-26 are rejected under 35 USC 102(e) as being anticipated by Wilcox. This rejection is set forth in a prior Office Action, mailed on 7/23/03. Copy of the rejection is provided below.

I. Claims 1, 3, 5-6, 8, 10-11, 13, 15-16, 18, and 20-23, 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent #5,664,127 (Anderson et al).

- As for claims 1, 6, 11, 16, 21, 25-26: Anderson et al teach a computer implemented system and corresponding method for displaying information in a table 250 in a graphical user interface, the table 250 comprises a plurality of user selectable rows and columns, the selected portion may be non-contiguous (9:19-65; figure 2C), comprising:

a table presentation module (col. 7, line 51, "Notebook and Pages") that present one or more portions of the table 250 in a graphical user interface,

a user selectable graphics presentation module 260 that presents one or more user defined and selectable graphical portions (e.g., the tab or page identifier 261, 8:10-40) in the graphical user interface, each user selectable graphical portion 261 is selectively assigned to the one or more user selectable table portions specified by the user (9:53-54; 10:14-26, 38-49 (i.e., selecting cells and designating the selected cell to a page represented by a tab label); 17:1-11).

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a user selection module (col. 6, lines 27-50) for enabling the user to select a graphical portion to cause the presentation table to present the table portion associated with the selected graphical portions.

- As for claims 3, 8: The system includes means for selecting a tab 261 and displaying a portion of the table corresponding to the selected tab (col. 8, line 41 “Navigation in a Notebook”).

- As for claims 13, 18: The portion comprises one or more rows (figure 2, 3).

- As for claims 5, 10: The user selectable portion comprises data display (figures 4, 5). The system further comprises an edit module for editing the data (col. 10, line 37, “Advanced Editing”).

- As for claims 15, 20: Each user selectable portion is identified by its name (17:1-11; figure 4G, “Salad”).

- As for claim 22: The user may select a plurality of table portions (9:10-65).

- As for claim 23: The selected table portion can be in discontinuous order (9:25-33, 56-65).

II Claims 1, 6, 11, 16, 21, 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,097,391 (Wilcox).

- As for claims 1, 6, 11, 16, 21, 24-26: Wilcox teaches a computer implemented system and corresponding method for displaying information in a table (figure 3D) in a graphical user interface, the table comprises one or more sheet 304, each sheet includes a tab 308, at least one user selectable row and column (1:45-55; 7:33-36; 16:43-48), comprising:

- a table presentation module that present one or more portions of the table in a graphical user interface,

a user selectable graphics presentation module that presents one or more user defined and selectable graphical portions Zframe 310-313 in the graphical user interface, each user selectable graphical portion 310-313 is selectively assigned to the one or more user selectable table portions specified by the user (7:31 – 8:14; 10:31-47).

a user selection module for enabling the user to select a graphical portion to cause the presentation table to present the table portion associated with the selected graphical portions (8:2-4; 10:47-57).

III. Claims 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al.

- As for claims 14, 19: Figures 4A,B show the selecting of a single column and a single row. Anderson et al fail to clearly teach that the presented portion comprises a single row. However since the number of rows in depends on the amount of data needed to be presented in the portion of the table. It would have been obvious to one of ordinary skill in the art, at the time of the invention was made, to implement the presenting of the single row portion table data. Motivation of the implementation is for the simplicity of the editing.

(11) Response to Argument

The appellants argue that Anderson et al do not teach the limitations “the table having one or more user selectable table portion” and “a graphics presentation module that presents one or more graphical portions in the graphical user interface, wherein a user assigns the one or more user selectable table portions to at least one of the one or more graphical portions”, in response to the argument, the appellants are referred to Anderson’s disclosure in figure 2C, and in column 9, lines 19-65, wherein table 250 having one or more user selectable table portion 254. Pages of

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the spreadsheet can also be selected and grouped together (9:44-56). A selected portion can be assigned with a user specified label (9:51-54, 10:22-32), or assigned to an existing label (10:37-49, 11:34-54). Thus Anderson et al disclose the invention as recited in claim 1. In response to the argument that Anderson's page identifiers 260, 261 are not the same as appellants' graphic portion because Anderson's page identifiers are pre-set, the claim as recited does not exclude a pre-set identifier. Claim 1 merely recites that the user assigns the selected table portion to a presented graphical portion, which could be a pre-set graphical portion (see claim 1, lines 6-9). Furthermore, set forth above, Anderson allows new identifiers to be assigned to the selected portion (9:51-54, 10:22-32). In response to the argument that Anderson et al do not teach the assigning the table portion to a graphical portion as described in the appellants' specification, although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The appellants further argue that Anderson's teaching of dragging and dropping a selected table portion to a new graphical portion is not the same as the appellants claim 1, in response to the argument, the assignment of a selected spreadsheet portion to a graphical portion occurs in at least three scenarios: the selected portion is assigned with a new label ((9:51-54, 10:22-32), the selected portion is copy to a graphical portion (the tab, 10:37-49, 11:34-54), the selected portion is moved to a new graphical portion (fig. 4K). All three scenarios read on the invention as claimed.

As for claim 25, in response to the argument that Anderson et al do not teach selecting discontinuous table portions, the limitation is disclosed in col. 9, lines 29-33 and 56-60, wherein

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discontiguous portions, i.e., block 441, 442, page A, and D, of the table are selected. The selected table portions are assigned to a graphical portion as set forth above.

As for claim 26, in response to the argument that Anderson et al do not teach selecting discontiguous table portions, the limitation is disclosed in col. 9, lines 29-33, wherein discontiguous portions, i.e., block 441, 442 which appear on a single sheet (figures 4C-D) of the table are selected. Further, it is within the context of Anderson's disclosure that the spreadsheet may include one or more than one page (2:9-15). The selected table portions are assigned to a graphical portion as set forth above. Once the selected table portions are assigned a user specified label or copied to a user designated label, the selected table portions can be presented to the user upon user selection of the user assigned or copied designated label.

As for claim 24, Wilcox teaches a computer implemented system and corresponding method for displaying information in a table (figure 3D) in a graphical user interface, the table comprises one or more sheet 304, each sheet includes a tab 308, at least one user selectable row and column (1:45-55; 7:33-36; 16:43-48), comprising a table presentation module that present one or more portions of the table in a graphical user interface, a user selectable graphics presentation module that presents one or more user defined and selectable graphical Zframe 310-313, other than the tabs 308, each user selectable graphical Zframe 310-313 is selectively assigned to the one or more user selectable table portions specified by the user (abstract; 7:31 – 8:14; 10:31-47). A user selection module for enabling the user to select a graphical portion to cause the presentation table to present the table portion associated with the selected graphical portions (8:2-4; 10:47-57). In response to the argument that Wilcox does not teach both the tabs and the user-selectable graphical portion, the limitations are disclosed by Wilcox as tab 308 and Zframe 310-313, respectively.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Ba Huynh
Primary Examiner
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July 26, 2005


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20050726

DATE MAILED:

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Commissioner for Patents

Please see attached Supplemental Examiner's Answer responsive to the 7/15/05 remand from the Board. This Supplemental Examiner's answer is to correct an error in item no. 9, to further include US 6,097,391 (Wilcox) as a prior art of record.

[Signature]
BA HUYNH
PRIMARY EXAMINER

[Handwritten mark]